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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,130

11/20/2003

Eero Kaappa

KOLS.064PA

9110

7590

03/14/2007

Hollingsworth & Funk, LLC  
Suite 125  
8009 34th Avenue South  
Minneapolis, MN 55425

EXAMINER

SALAD, ABDULLAHI ELM1

ART UNIT

PAPER NUMBER

2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/718,130

Applicant(s)

KAAPPA ET AL.

Examiner

Salad E. Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/26/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

1. The response filed on 12/12/2006 has been received and made of record.
2. Applicant's arguments with respect to claims 1-12 have been fully considered but are not persuasive for the following reason.

Applicant alleges "Oommen does not appear to teach the claimed limitations directed to priority data, such as, attaching a data element having priority data to a management tree, determining priority data of at least one sub object in relation to other sub objects, and de-assembling a document into management tree form so that priority data included in the document shows priority data of at least one sub object in relation to other sub objects".

Examiner respectfully disagrees because Oommen discloses a management an object tree with hierarchy of topology of managed objects (i.e., prioritization of managed object). Furthermore, Oommen teaches the mobile node is capable of dynamically forming a representation of the requested collection of subtrees, then encode and depress the dynamically-formed data, so that the final data is sent as a response to the get message. Standard algorithms for encoding and compressing the logic trees and data associated with the logic trees can be utilized. The mobile node is further selectably operable to place the encoded and compressed data as an object in the management tree. Such creation of the object is performed dynamically (0054 and 0057).

Additionally, Oommen discloses devices are defined in terms of a management tree. The management tree is formed using one or more DDF (Device Description Framework) description of objects. Each DDF description is a logical grouping of related objects, all described in the same document. A tree is constructed, or initiated, using one or more of such DDF descriptions. Thus, all objects instantiated in a management tree comes from one of the DDF documents. And, while the DDF document for objects is common to all devices, the management tree need not be the same for all of the devices. For example, an object such a digital camera might be added or attached to the management tree for the the mobile node. The DDF for enabling a camera attachment to the mobile node might well be the same for mobile nodes of the same make. But, when the tree based on this DDF is created in each mobile node, it can get created at different locations in the management tree (paragraph 0011).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 rejected under 35 U.S.C. 102(e) as being anticipated by Oommen et al., U.S. Patent Application No. 2003/0103484[hereinafter Oommen].

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Oommen discloses a method for determining the priority of a management object in a device management system comprising at least a device management server and management customer device, in which the management server and management customer device are arranged to maintain management object data in a management tree, the method comprising:

- determining the contents of sub objects included in at least one management object of the management tree (see paragraph 0036-0037);

- determining in the management server at least one data element comprising the priority data of at least one sub object in relation to other sub objects (see paragraph 0036-0037);

- attaching said at least one data element to the management tree maintained by the management server(see paragraph 0036-0037);

- sending a file definition according to the management tree to the management customer device(see paragraph 0037); and

- deassembling the file definition referred to in the management customer device into management tree form so that said priority data shows the priority data of at least one

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sub object in relation to other sub objects(see paragraphs 0011, and 0037-0038);

As per claim 2, Oommen discloses method as claimed in claim 1, further comprising determining in a server device according to SyncML Device Management and in a customer device according to SyncML Device Management priority data for a management object comprising provisioning settings of a WAP protocol for a Bootstrap process (see paragraph 0059).

As per claim 3, Oommen discloses a method as claimed in claim 1, further comprising determining the data element referred to in the management server, the data element comprising the priority data of at least one sub object in relation to other sub objects, as separate leaf objects(see paragraph 0045); and attaching the leaf objects determining said priority data to the management tree maintained by the management server so that they are placed in parallel with the management/sub object, whose priority they determine (see paragraph 0045).

As per claim 4, Oommen discloses a method as claimed in claim 1, further comprising determining the data element mentioned in the management server, the data element comprising the priority data of at least one sub object in relation to other sub objects, as a run-time property definition(see paragraph 0048); and

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attaching said run-time property definitions determining said priority data to the meta data of the management tree maintained by the management server (see paragraph 0048).

5. As per claims 5-12, the claims include features analogous with features in claims 1-4, thus claims 5-12 are rejected same rational as claims 1-4.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad  
3/3/2007

ABDULLAHISALAD  
PRIMARY EXAMINER